

1 Adam P Thursby, Esq. (SBN 318465)
2 Kristin A. Zilberstein, Esq. (SBN: 200041)
3 Jennifer R. Bergh, Esq. (SBN 305219)
4 LAW OFFICES OF MICHELLE GHIDOTTI
5 1920 Old Tustin Ave.,
6 Santa Ana, CA 92705
7 Ph: (949) 427-2010
8 Fax: (949) 427-2732
9 athursby@ghidottilaw.com

10 Attorney for Movant
11 Bosco Credit, LLC

12 UNITED STATES BANKRUPTCY COURT
13 NORTHERN DISTRICT OF CALIFORNIA
14 OAKLAND DIVISION

15 In Re:
16 JOSE A LOZA

17 Debtor.

) CASE NO.: 18-42125

) CHAPTER 13

) RS No.: MRG-100

) **MOTION FOR RELIEF FROM**
) **THE AUTOMATIC STAY**

) Date: November 9, 2018

) Time: 10:00 a.m.

) Ctrm: 215

) Place: U.S. Bankruptcy Court

) 1300 Clay Street

) Oakland, CA 94612

) Judge: Charles Novack

28 TO ALL PARTIES IN INTEREST AND TO THEIR ATTORNEYS OF RECORD:

1 Bosco Credit, LLC, its successors and/or assignees, ("Movant"), moves this Court for
2 an Order Terminating the Automatic Stay of 11 U.S.C. §362 as to moving party so that moving
3 party may proceed with an unlawful detainer action as well as exercise its rights and remedies
4 under applicable law with respect to the Property, commonly known as 335 Burbank Road,
5 Antioch, CA 94124, ("Property" herein).

6 As stated in the attached Declaration, the Debtor is no longer the legal owner of the
7 property. Movant is the legal owner pursuant to a Trustee's Deed Upon Sale recorded on
8 February 5 2018 as document number 20189001808200003 in the official records of the
9 Contra Costa County Clerk-Recorder's Office

10 Based on the foregoing, Movant alleges that it is unfairly delayed from proceeding with
11 an unlawful detainer action. Accordingly, relief from the automatic stay should be granted to
12 Movant pursuant to 11 U.S.C. §362(d)(1) and (2).

13 Movant is entitled to relief under 11 U.S.C. §362(d)(1) and (2).

14 WHEREFORE, Movant prays for judgment as follows:

- 15 1. For an Order granting relief from the automatic stay, permitting Movant to proceed
16 with any and all post foreclosure sale remedies, including the unlawful detainer
17 action or any other action necessary to obtain possession of the Property.
- 18 2. For an Order that the fourteen day stay described by Bankruptcy Rule 4001(a)(3) be
19 waived.
- 20 3. For an Order modifying the automatic stay to protect Movant's interest, as the Court
21 deems proper.
- 22 4. For attorneys' fees and costs incurred herein.
- 23 5. For such other relief as the Court deems proper.

24
25 Dated: September 20, 2018

LAW OFFICES OF MICHELLE GHIDOTTI

26
27 /s/ Adam Thursby
28 Adam P. Thursby, Esq.
Bosco Credit, LLC